

SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr., Supervisor
Vice Chairman: Mrs. Judith K. Spooner, District No. 2

A SPECIAL MEETING OF BERKELEY COUNTY COUNCIL was held on Monday, July 8, 2002, in the Assembly Room of the Berkeley County Office building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 7:02 p.m.

PRESENT: Mr. James H. Rozier, Jr., Supervisor, Chairman; Mr. Milton Farley, Councilmember District No. 1; Mrs. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Henry L. Richardson, Jr., Councilmember District No. 8; Ms. Nicole Scott Ewing, Deputy County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mr. Steve M. Vaughn, Councilmember District No. 5, was excused from this Special Meeting of Council.

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and copy of Agenda of this Special Meeting of Berkeley County Council at the entrance to the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Councilmembers, the News media, and other interested citizens.

Chairman Rozier called the meeting to order and stated the invocation and the Pledge of Allegiance was held at an earlier meeting.

Chairman Rozier stated the Chairman of the Finance Committee has canceled his meeting and there is nothing on the Special Meeting agenda that is up for final decision.

It was moved by Councilmember Spooner and seconded by Councilmember Richardson to go into Executive Session to receive legal advice and discuss personnel matters. The motion passed by voice vote of Council.

Berkeley County Council entered Executive Session at 7:05 p.m. and returned at 7:26 p.m.

Ms. Scott Ewing stated that Council went into Executive Session for reasons as stated in the motion, and no action was taken.

Chairman Rozier read the Bill for First Reading as follows and explained that on Bills for First Reading there is no discussion or vote.

“BILL NO. 02-33, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH

CAROLINA, RE: **LOW COUNTRY PINES, LLC**, OFF OLD DAIRY ROAD, SUMMERVILLE, TMS#220-00-02-056 (11.5 acres), TMS#220-00-02-057 (47.8 acres), TMS#220-00-02-038 (19.6 acres), TMS#220-00-02-091 (6 acres), TMS#220-00-02-059 (18.97 acres), TMS#220-00-02-079 (2.04 acres), TMS#220-00-02-108 (1.02 acres), TMS#220-00-02-076 (1.02 acres), TMS#220-00-02-107 (1.02 acres), TMS#220-00-02-073 (1.98 acres), TMS#220-00-02-071 (1.92 acres), TMS#220-00-02-106 (1 acre), TMS#220-00-02-066 (1 acre), TMS#220-00-02-063 (1 acre), TMS#220-00-02-105 (1 acre), TMS#220-00-02-049 (1.92 acres), TMS#220-00-02-001 (1.57 acre portion of 5.2 acres total), TMS#220-00-02-115 (1 acre), TMS#220-00-02-041 (4.27 acres), TMS#220-00-02-088 (2 acres), TMS#220-00-02-040 (4.86 acres), TMS#220-00-02-036 (2.63 acres), TMS#220-00-02-035 (7.46 acres), and off Beagle Road, TMS#221-00-00-008 (10.2 acres), TMS#221-00-00-007 (2.93 acres), TMS#221-00-00-006 (7.25 acres), **from F-1, Agricultural District, to HI, Heavy Industrial District.**”

Chairman Rozier stated the **Resolution** authorizing the continuing of the **Devon Forest Special Tax District** would be held until July 22, 2002.

REPORTS FROM STANDING COMMITTEES:

Committee on Land Use, Councilmember Charles E. Davis, Chairman.

It was moved by Councilmember Davis to approve the Committee’s recommendation for *denial* of the **Request by Low Country Pines, LLC**, off Old Dairy Road, Summerville, TMS #220-00-02-001 (3.64 acres portion of a 5.2 acres total) **from F-1, Agricultural District, to HI, Heavy Industrial District**; TMS #220-00-01-053, 054, and 055 (7.75 acres total) **from R-1, Single Family Residential, to HI, Heavy Industrial District**. Council District No. 7. (No Second required)

The motion passed by unanimous voice vote of the Committee.

It was moved by Councilmember Crosby and seconded by Councilmember Pinckney to adjourn. The motion passed by unanimous voice vote of the Committee.

The Special Meeting adjourned and immediately went into Public Discussion.

PUBLIC DISCUSSION

Mr. Bob Johnson of 227 Countryside Way, Arcadia Woods, (off old Dairy Road) addressed Council in regard to the properties being considered for rezoning, and further explained he represented the other families in the area and collectively they are against Heavy Industrial. Mr. Johnson continued it was their understanding that the Army Corps of Engineers has proposed bringing in a railroad some 50 to 100 feet from a couple of homes in Arcadia Woods and directly across the street from a multiple of homes on Hodge Road. Mr. Johnson stated that is absolutely unacceptable to them.

Mr. Johnson stated that according to Mr. Rozier the railroad is a State issue; however, the three properties on the South side of Old Dairy Road (that were recommended for denial) were originally requested for rezoning to Industrial so that the railroad could come through that property.

Chairman Rozier stated he would gather as much information as possible on the railroad and would schedule a time to meet the citizens.

Councilmember Mims asked that if they were totally against Heavy Industrial why were so many landowners willing to say, "here is my land rezone it."

Mr. Johnson stated those people were offered money for their land. All of those pieces are on the other side of the road and are vacant. He expressed his gratitude to Council for denying the change on the South side, which is where they live.

Mr. Chuck Howard of 108 Short Street, Dorchester County, addressed Council and indicated the families in his area were concerned with just what Heavy Industrial zoning involves. It could mean processing plants, freight yards, organic and inorganic, which would emit pollutants in an area that is largely residential. As residents and further contemplation of what HI really means for them and the entire area, there will probably be a growing number of persons who will be against it. He stated that if the rezoning does happen they would be doing everything they could to prevent the railroad going through that area.

Mr. David Umphlett of 1145 Highway 402, Moncks Corner, expressed his gratitude to all of the voters for electing him to House Seat 100. He stated the purpose for his appearance before Council was to encourage enforcement of the removal of all campaign signs as soon as elections are over.

Chairman Rozier stated the County has an ordinance that clearly indicates that within 15 days after an election signs must be removed or be fined \$500 per sign per day. He stated the big problem is signs are everywhere but he would be happy to prepare a letter informing everyone that the signs are to be removed. Mr. Rozier continued the signs would have to be found, identify the location and advise them of each sign found.

Public Discussion ended at 7:45 p.m.

S/Barbara B. Austin
Clerk of County Council

NOTICE OF SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr., Supervisor
Vice Chairman: Mrs. Judith K. Spooner, District No. 2

Members: Mr. Milton Farley, District No. 1
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Steve M. Vaughn, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Henry L. Richardson, Jr., District No. 8

There will be a **SPECIAL MEETING** of **BERKELEY COUNTY COUNCIL** on **Monday July 8, 2002**, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, following the meeting of the Committee on Finance, the Committee on Public Works and Purchasing, the Committee on Land Use and the Committee on Planning and Development at **6:00 p.m.**

A G E N D A

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

PUBLIC DISCUSSION – Requests to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

FIRST READING:

Bill No. 02-33, an **Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Low Country Pines, LLC**, off Old Dairy Road, Summerville, TMS#220-00-02-056 (11.5 acres), TMS#220-00-02-057 (47.8 acres), TMS#220-00-02-038 (19.6 acres), TMS#220-00-02-091 (6 acres), TMS#220-00-02-059 (18.97 acres), TMS#220-00-02-079 (2.04 acres), TMS#220-00-02-108 (1.02

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[Recommended by Committee on Land Use]

RESOLUTIONS:

1. A **Resolution** authorizing the continuing of the **Devon Forest Special Tax District Budget** for fiscal year 2001-2002 until such time as the fiscal year 2002-2003 Budget may be finalized.
[Recommended by Committee on Finance]

REPORTS FROM STANDING COMMITTEES:

Committee on Land Use.

Councilmember Charles E. Davis, Chairman.

Recommendations to deny:

Request by Low Country Pines, LLC, off Old Dairy Road, Summerville, TMS #220-00-02-001 (3.64 acres portion of a 5.2 acres total) from F-1, Agricultural District, to HI, Heavy Industrial District; TMS #220-00-01-053, 054, and 055 (7.75 acres total) from R-1, Single Family Residential, to HI, Heavy Industrial District. Council District No. 7.

ADJOURNMENT

PUBLIC DISCUSSION

July 3, 2002
S/Barbara B. Austin
Clerk to County Council